

APPEAL/Administrative Review of Order

June 17, 2015

To: Fire Prevention and Building Safety Commission
302 West Washington Street, Rm W246
Indianapolis, IN 46204

Re: Brenneman Day Care Annual Inspection
Date of Inspection: June 10, 2015
Facility I.D. RM 25922-A
Inspector: Ed Sorensen

Identification of Violation:

Sec. 703.2 2014 Edition, IFC 675 IAC 22-2.5

Opening protectives shall be maintained in accordance with the rules of the commission. Where allowed by the fire code official, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

Cited: >Red metal devices found on rated door needs to be removed per above code section.

The red metal device he referred to is called a PSD Swing-In Door Brackets. They are used on doors which open into a room. They can be used on steel framed doors without any modification.

These devices are used for Security Purposes on every door that houses children or youth in our facility. They are designed for classrooms (many public schools use these currently) where children are housed in case of an active shooter (or other threatening persons) that may be present in the building.

The doors are locked but completely accessible at all times. One merely has to push on the door from the hallway to gain access. This allows for quick entry when needed but further allows the teacher/guardian of the children's classroom to remove the device out quickly when a lock-down is called. This does not prevent anyone from gaining access or leaving a classroom unless the security measure is put into place.

This device does not block, does not obstruct or make the door inoperable in any way. The door still operates and function as it was designed. Nor will it allow fire to enter the room if this is a concern. It merely is in place for the safety of the children should we have a security event arise while the children are in our care. Please see the attached informational sheet regarding these devices.

It is for the reasons stated above that we would request that this violation be lifted and allow our doors to be equipped with these security devices.

Respectfully submitted,

Patricia Bainter
Business Administrator
Brenneman Missionary Church
61115 State Road 15
Goshen IN 46528
574/534-1491, Extension #103
Email: patricia_bainter@bmmchurch.org

Contact Information for:
Connie Graber, Day Care Director
Brenneman Day Care
61115 State Road 15
Goshen IN 46528
574/533-4388

cc: Connie Graber, Day Care Director

PSD SWING-IN DOOR

PSD Model: PULL

PSD's Regress Door model is designed to fit snugly on doors that swing into the room. PSD can quickly be placed on a steel door frame without modification necessary*. PSD can easily be pulled from by anyone to engage a previous locked door without the use of keys, thus, preventing unauthorized personnel or active shooters from gaining access. Each PSD is made custom from couple of simple measurements you determine and provide to us. This ensures that PSD will function properly every time you need it.

PSD has a durable, highly visible appearance that will allow you to quickly locate PSD, even in stressful situations.

Stickers are located on PSD to assist and remind individuals that may lose all train of thought during a stressful time or help individuals who may not be familiar with the lockdown aide.





FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY
INDIANA DEPARTMENT OF HOMELAND SECURITY
302 WEST WASHINGTON STREET, RM E241
INDIANAPOLIS, IN 46204
TELEPHONE: 317-232-2222
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number RM25922-A	Name of the facility BRENNEMAN DAY CARE MINISTRY	County ELKHART
Address of Property 61115 STATE ROAD 15 GOSHEN 46528	Name of the Contact CONNIE GRABER	Telephone Number (574) 533-4388
Email patricia_bainter@bmmchurch.org	Inspection Date 06/10/2015	
Inspection Category CHILD CARE MINISTRY	Inspection Type ANNUAL	Inspection Status: VIOLATION
Name of the inspector ED SORENSEN	Phone: 3175174524	
Email: esorensen@dhs.in.gov		

Violations

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	Sec. 703.2 2014 Edition IFC 675 IAC 22-2.5	Opening protectives shall be maintained in accordance with the rules of the commission. Where allowed by the fire code official, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified. <u>Red metal devices found on rated door needs to be removed per above code section.</u>	07/13/2015
2	Sec. 1006.1 2014 Edition IFC 675 IAC 22-2.5	The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied. Exceptions: 1. Occupancies in Group U. 2. Aisle accessways in Group A. 3. Dwelling units and sleeping units in Groups R-1, R-2 and R-3. 4. Sleeping units of Group I occupancies <u>Repair emergency light near one year old's room to proper operation.</u>	07/13/2015
3	Sec. 703.2.3 2014 Edition IFC 675 IAC 22-2.5	Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position. <u>Double doors in daycare corridor need to be adjusted so that they closed and latch automatically.</u>	07/13/2015

Facility Id RM25922-A	Received By Name	Signature and Date
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APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a petition for review. Such informal discussion, or a request therefor, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone, upon receipt of this Order.